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NO FEE-GOV'T CODE 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

BC 663620

THE PEOPLE OF THE STATE OF CALIFORNIA,)

Plaintiff,

vs.

JIMSON OLUFEMI BANJO aka JIMSON O.
BANJO aka OLUFEMI JIMSON BANJO aka
OLUFEMI JIMSON B. aka JIMSON B. OLUFEMI
aka JIMSON BANJO, an individual; and DOES 1
through 50, inclusive,

Defendants.

CASE NO:

**COMPLAINT FOR ABATEMENT
AND INJUNCTION**

[HEALTH & SAFETY CODE
SECTION 11570, *ET SEQ.*; CIVIL
CODE SECTION 3479, *ET SEQ.*;
BUSINESS & PROFESSIONS CODE
SECTION 17200, *ET SEQ.*]

(Unlimited Action)

PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

I. INTRODUCTION

1. This action ("Action") is brought and prosecuted by Plaintiff, the People of the State of California (the "People"), for the purpose of abating, preventing and enjoining a long-standing narcotics and gang-related public nuisance that exists at a property with addresses commonly known as 225 and 227 W. 86th Place, Los Angeles, CA 90003 (the "Property"). The Action is brought pursuant to the Narcotics Abatement Law ("NAL"), California Health and Safety Code section 11570, *et seq.*; the Public Nuisance Law ("PNL"), California Civil Code sections 3479-3480; and the Unfair Competition Law ("UCL"), California Business and

1 Professions Code section 17200, *et seq.*

2 2. The Property, located on a residential street in South Los Angeles, is a two-story
3 duplex comprised of one residential unit on the first floor identified as 227 W. 86th Place, and a
4 second residential unit on the second floor identified as 225 W. 86th Place. Within 1,000 feet
5 from the Property is the Mother of Sorrows School, which serves 265 children from pre-
6 kindergarten through 8th grade. The Property is also within an area claimed by the 87
7 Gangster Crips criminal street gang as its turf.

8 3. Defendant JIMSON OLUFEMI BANJO ("Defendant") has owned the Property
9 from at least November 30, 2004. Under Defendant's ownership, the Property has been, and
10 currently is, a cesspool of lawlessness marked by gang-related activity, violence, and rampant
11 narcotics sales. Between 2005 through 2007, law enforcement officers served three search
12 warrants at the Property, arrested an 87 Gangster Crips gang member involved in an
13 attempted murder, witnessed numerous narcotics transactions, and recovered a firearm with
14 live rounds and rock cocaine. In the period between 2008 through 2016, the Property was the
15 site of a halfway house with as many as 20 residents. During this period, the Property was
16 the source of multiple police radio calls and over a dozen arrests for violent offenses, including
17 criminal threats, batteries, and assaults with deadly weapons, which were committed on and
18 directly-related to the Property. Since the beginning of 2017, the Property has resumed its
19 primary operation as a busy "crack house" under the control of an 87 Gangster Crip gang
20 member. The sale of cocaine, methamphetamine and other controlled substances takes
21 place at a rampant pace and on a regular and continuous basis to steady streams of buyers
22 who walk and drive up to the Property to purchase drugs. In the past five months, there have
23 been six narcotics-related investigations leading to four narcotics-related arrests at the
24 Property, and two search warrants which resulted in the recovery of cocaine base, rock
25 cocaine, methamphetamine, and ecstasy. During these recent investigations, officers
26 observed 225 W. 86th Place stamped with 87 Gangster Crip graffiti. The doors at both 225
27 and 227 W. 86th Place are fortified with a large metal strike plates surrounding the locking
28 mechanisms, as well as with two lag bolts to brace each door in order to make it difficult to

1 breach and to protect the narcotics dealers. To further enhance the narcotics dealing at the
2 Property, the rear door at 227 W. 86th Place has a small window at the bottom of the door to
3 facilitate the exchange of money for narcotics. Despite these enforcement efforts, law
4 enforcement officers specially trained in narcotics investigations continue to observe a steady
5 stream of drug users and buyers going to and from the Property to buy narcotics.

6 4. This long history of neglect and indifference for the rule of law at the Property
7 has resulted in a well-known and long-standing reputation in the surrounding community and
8 with the Los Angeles Police Department ("LAPD") as an active narcotics location controlled by
9 87 Gangster Crips, which generates a lawless environment that is intimidating and threatening
10 to the area residents and others visiting the neighborhood. Defendant has failed to take any
11 action to eradicate the narcotics, gang and nuisance activity that has existed at the Property
12 for over a decade. This nuisance abatement prosecution is intended to bring the
13 unacceptable state of affairs at the Property to a halt; to make the Property inhospitable to the
14 gang members and drug dealers who now freely use it to deal narcotics; and to make the
15 Property safe for the residents in the neighborhood.

16 **II. THE PARTIES AND THE PROPERTY**

17 **A. Plaintiff**

18 5. Plaintiff, the People, is the sovereign power of the State of California designated
19 in California Health and Safety Code section 11571 and California Code of Civil Procedure
20 section 731 to be the complaining party in actions brought to abate, enjoin, and penalize
21 narcotics nuisances and public nuisances, respectively. Furthermore, the City of Los Angeles
22 has a population in excess of 750,000, and as such, California Business and Professions
23 Code section 17204 authorizes Plaintiff, the People, to prosecute actions for relief under
24 California Business and Professions Code section 17200, *et seq.* for unlawful competition.

25 **B. The Defendants**

26 6. Defendant JIMSON OLUFEMI BANJO is the current owner of the Property, and
27 has been the record owner of the Property since at least November 30, 2004. Under
28 Defendant's ownership, the Property has been the subject of a 2007 Los Angeles Housing

1 Department administrative action in Case No. 59875, when inspectors discovered that the
2 duplex had been modified to include a third unpermitted unit, and other housing code
3 deficiencies. In 2008, Defendant was criminally charged for multiple housing code violations
4 at the Property in Case No. 8YH05569 by the Los Angeles Housing Enforcement Unit of the
5 City Attorney's Office.

6 7. The true names and capacities of defendants sued herein as Does 1 through 50,
7 inclusive, are unknown to Plaintiff, who therefore sues said Defendants by such fictitious
8 names. When the true names and capacities of said defendants have been ascertained,
9 Plaintiff will seek leave of Court to amend this complaint and to insert in lieu of such fictitious
10 names the true names and capacities of said fictitiously named defendants.

11 **C. The Property**

12 8. The Property consists of a two-story duplex with addresses commonly known as
13 225 and 227 W. 86th Place, Los Angeles, CA 90003. The Property's legal description is "LOT
14 39 in Block "A" of Goodfellows Tract, in the County of Los Angeles, State of California, as per
15 map recorded in Book 16, Page(s) 51 of Maps, in the Office of the County Recorder of said
16 County," with Assessor's Parcel Number 6040-013-022.

17 **III. THE NARCOTICS ABATEMENT LAW**

18 9. The abatement of a nuisance is a long established and well-recognized exercise
19 of the state's police power. (*People v. Barbieri* (1917) 33 Cal.App. 770, 775; *People ex rel.*
20 *Hicks v. Sarong Gals* (1974) 42 Cal.App.3d 556, 563.) Since its enactment in 1972, the
21 principal purpose of the NAL (Health & Saf. Code, § 11570, *et seq.*) is the abatement of
22 buildings and places "used for the purpose of unlawfully selling, serving, storing, keeping,
23 manufacturing, or giving away any controlled substance, precursor, or analog specified in this
24 division" (Health & Saf. Code, § 11570.)

25 10. The NAL provides that every building or place used for the purpose of unlawfully
26 selling, serving, storing, keeping, manufacturing, or giving away any controlled substance,
27 precursor, or analog *inter alia*, "is a nuisance which **shall** be enjoined, abated, and
28 prevented . . . whether it is a public or private nuisance." (Health & Saf. Code, § 11570

(emphasis added); *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v. Superior Court* (1993) 20 Cal.App.4th 866, 870-871.)

11. Health and Safety Code section 11571 authorizes a city attorney to bring an action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part: "Whenever there is reason to believe that a nuisance as described in Section 11570 is kept, maintained, or exists in any county, the district attorney of the county, or the city attorney of any incorporated city or of any city and county, in the name of the people, may maintain an action to abate and prevent the nuisance and perpetually to enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place in or upon which the nuisance exists from directly or indirectly maintaining or permitting the nuisance."

12. Health and Safety Code section 11573(a) provides that: "If the existence of the nuisance is shown in the action to the satisfaction of the court or judge, either by verified complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction to abate and prevent the continuance or recurrence of the nuisance." (Emphasis added). In addition, Health and Safety Code section 11581 provides, as an additional remedy, for the removal and sale of all fixtures and movable property on the premises used in aiding or abetting the nuisance and for the closure of the building for up to one year. Health and Safety Code section 11573.5(b) also provides that an injunction issued pursuant to 11573 may include closure of the premises pending trial when a prior order does not result in the abatement of the nuisance.

IV. THE PUBLIC NUISANCE LAW

13. The Public Nuisance Law ("PNL"), Civil Code section 3479, defines a public nuisance as "[a]nything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property...". (See *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 ("The Legislature has defined in general terms the word 'nuisance' in Civil Code section 3479...").)

14. Civil Code section 3480 defines a public nuisance as "one which affects at the

1 same time an entire community or neighborhood, or any considerable number of persons,
2 although the extent of the annoyance or damage inflicted upon individuals may be unequal."

3 15. In particular, gang activity, such as drug dealing, loitering, consumption of
4 alcohol and illegal drugs, and boisterous conduct which creates a "hooligan-like atmosphere"
5 constitutes a public nuisance. (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)
6 The whole spectrum of typical street gang conduct, ranging from loitering, to public drinking
7 and boisterousness, to drug dealing, to gunfire, has been held to "easily meet the statutory
8 standard" for a public nuisance under Civil Code section 3479. (*People ex rel. Gallo v. Acuna*
9 (1997) 14 Cal.4th 1090, 1120.)

10 16. Civil Code section 3491 provides for the methods by which public nuisances
11 such as those alleged herein may be abated. Civil Code section 3491 states that the
12 "remedies against a public nuisance are indictment or information, a civil action or abatement."
13 Abatement is "accomplished by a court of equity by means of an injunction proper and suitable
14 to the facts of each case." (*Sullivan v. Royer* (1887) 72 Cal. 248, 249; see also *People v.*
15 *Selby Smelting and Lead Co.* (1912) 163 Cal.84, 90 ("[I]n California, the rule is well
16 established that in proper cases injunctive relief which accomplishes the purposes of
17 abatement without its harsh features is permissible.").)

18 17. Code of Civil Procedure section 731 authorizes a city attorney to bring an action
19 to enjoin or abate a public nuisance. It provides, in relevant part, "[a] civil action may be
20 brought in the name of the people of the State of California to abate a public nuisance by the
21 city attorney of any town or city in which such nuisance exists."

22 18. Where "a building or other property is so used as to make it a nuisance under
23 the statute, the nuisance may be abated . . . , notwithstanding that the owner had no
24 knowledge that it was used for the unlawful purpose constituting a nuisance." (*People ex rel.*
25 *Bradford v. Barbieri* (1917) 33 Cal.App. 770, 779; see also *Sturges v. Charles L. Harney, Inc.*
26 (1958) 165 Cal.App.2d 306, 318 ("a nuisance and liability therefore may exist without
27 negligence"); *People v. McCadden* (1920) 48 Cal.App. 790, 792 ("A judgment supported on
28 findings that such nuisance was conducted and maintained on the premises in question,

1 regardless of the knowledge of the owner thereof, is sufficient. Such knowledge on the part of
2 the owner . . . is unnecessary."); *People v. Peterson* (1920) 45 Cal.App. 457, 460 ("[I]t was not
3 necessary . . . for the trial court to find either, that the [defendants] threatened, and unless
4 restrained, would continue to maintain, aid, and abet, the nuisance, or that they knew the
5 building was used in violation of the act. . . . The existence of the nuisance was the ultimate
6 fact in this case, and having been found, supports the judgment.") This is because "the
7 object of the act is not to punish; its purpose is to effect a reformation of the property itself."
8 (*People v. Bayside Land Co.* (1920) 48 Cal.App. 257, 261.)

9 **V. UNFAIR COMPETITION LAW**

10 19. The practices forbidden by the state Unfair Competition Law at Business and
11 Professions Code section 17200 *et seq.* ("UCL") include any practices forbidden by law, be
12 they criminal, federal, state, municipal, statutory, regulatory or court-made. As the California
13 Supreme Court has explained, the UCL "'borrows' violations of other laws and treats them as
14 unlawful practices independently actionable under section 17200 *et seq.*" (*South Bay*
15 *Chevrolet v. General Motors Acceptance Corp.* (1999) 72 Cal.App.4th 861, 880 (internal
16 citations and quotation marks omitted)).

17 20. As proscribed by the UCL, "[a]n 'unlawful business activity' includes anything
18 that can properly be called a business practice and that at the same time is forbidden by law."
19 (*People v. McKale* (1979) 25 Cal.3d 626, 632.) The ownership and operation of a large rental
20 apartment complex, such as the Property, by sophisticated nonresident owners and managers
21 doing so for the purposes of profit, is, axiomatically, a business under the UCL. (See *People*
22 *ex. rel. City of Santa Monica v. Gabriel* (2010) 186 Cal.App.4th 882, 888 ["The renting of
23 residential housing is a business."].) Thus, when a property owner conducts, maintains or
24 permits a nuisance that is unlawful under the PNL and NAL to exist on the premises of such a
25 property, it is a violation of the UCL.

26 21. Moreover, the UCL casts a broad net. "Any person performing or proposing to
27 perform an act of unfair competition may be enjoined . . ." (Bus. & Prof. Code, § 17203;
28 emphasis added.) The term "person" includes "natural persons, corporations, firms,

1 partnerships, joint stock companies, associations and other organizations of persons.” (Bus.
2 & Prof. Code, § 17201.) The courts have expanded section 17200’s net beyond direct liability
3 to include common law doctrines of secondary liability where the liability of each defendant is
4 predicated on his or her personal participation in the unlawful practices. (*People v. Toomey*
5 (1985) 157 Cal.App.3d 1, 14; *Emery v. Visa Int’l Service Ass’n* (2002) 95 Cal.App.4th 952,
6 960.)

7 22. Civil actions under the UCL may be brought in the name of the People of the
8 State of California by any city attorney of a city having a population in excess of 750,000 (Bus.
9 & Profs. Code, § 17204), such as the City of Los Angeles. A public entity may bring a civil
10 enforcement action pursuant to section 17200 based on violations of its own municipal code,
11 state law, or other local ordinance. (*People v. Thomas Shelton Powers, M.D., Inc.* (1992) 2
12 Cal.App.4th 330, 338-339.)

13 23. Defendants engaging in violations of the UCL may be enjoined in any court of
14 competent jurisdiction. (Bus. & Profs. Code, § 17203.) A court may make such orders or
15 judgments, including appointment of a receiver, as may be necessary to prevent the use or
16 employment of any practice constituting unfair competition. (*Id.*)

17 24. Although no case has specifically been called upon to define the term “business”
18 in section 17200, courts have frequently given a broad reading to the provisions of the UCL so
19 as to effect its broad remedial purposes. (See, e.g., *Barquis v. Merchants Collection Ass’n*
20 (1972) 7 Cal.3d 94, 111-113.) An enterprise engaged entirely in criminal conduct such as the
21 manufacture of illegal drugs or obscene matter is a business for purposes of section 17200.
22 (*People v. EWAP, Inc.* (1980) 106 Cal.App.3d 315, 320-321.) Moreover, recent amendments
23 to section 17200 make clear that even a one-time act of misconduct can constitute a violation
24 of the UCL. (*Klein v. Earth Elements, Inc.* (1997) 59 Cal.App.4th 965, 969.)

25 25. Further, the ownership and operation of rental units is, axiomatically, a business.
26 (See *People ex rel. City of Santa Monica v. Gabriel* (2010), 186 Cal.App.4th 882, 888 (“The
27 renting of residential housing is a business.”); see also *Barquis v. Merchants Collection Ass’n*,
28 (1972) 7 Cal.3d 94, 111-113 (giving a broad meaning of the UCL so as to effect its broad

remedial purposes)). Thus, when a property owner conducts, maintains or permits a nuisance that is unlawful under the NAL and/or PNL to exist on the premises of such a business, it is a violation of the UCL. (See *San Francisco v. Sainez* (2000) 77 Cal.App.4th 1302, 1323.)

VI. FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT

[Health and Safety Code Section 11570, *et seq.*]

Against Defendant and DOES 1 through 50]

26. Plaintiff hereby incorporates by reference Paragraphs 1 through 25 of this Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

27. Since at least 2005, the Property has been, and is *currently* being used for the purposes of unlawfully selling, serving, storing, keeping, manufacturing or giving away controlled substances in violation of Health and Safety Code section 11570, *et seq.* The Property is being used to store and sell narcotics at and from within the Property to drug users and buyers who are drawn there to purchase and use narcotics.

28. Defendant and Does 1 through 50 are responsible for conducting, maintaining, and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has no plain, speedy and adequate remedy at law and unless Defendant, and Does 1 through 50, are restrained and enjoined by order of this Court, they will continue to use, occupy and maintain, and/or to aid, abet or permit, directly or indirectly, the use, occupation and maintenance of the Property, together with the fixtures and appurtenances located therein, for the nuisance complained of herein, to the great and irreparable damage of the public and in violation of California law.

VII. SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE

[Civil Code section 3479, *et seq.*]

Against Defendant and DOES 1 through 50]

29. Plaintiff hereby incorporates by reference Paragraphs 1 through 28 of this Complaint and makes them part of this Second Cause of Action as though fully set forth herein.

30. Since at least 2005, through the present time, the Property has been owned,

1 operated, occupied, used, and/or directly or indirectly permitted to be occupied and used, in
2 such a manner as to constitute a public nuisance in violation of Civil Code sections 3479 and
3 3480. The public nuisance, as described herein, is injurious to health, indecent or offensive to
4 the senses, and/or an obstruction to the free use of property, so as to substantially and
5 unreasonably interfere with the comfortable enjoyment of life or property by those persons
6 living in the surrounding community. The public nuisance at this Property consists of, but is
7 not limited to, rampant narcotics sales drawing in a constant procession of and presence of
8 narcotics users and buyers to the Property; the threatening presence of resident and non-
9 resident gang members on the Property; recovery of an illegal firearm; and various arrests for
10 criminal threats, batteries and assaults with deadly weapons.

11 31. Defendant and Does 1 through 50 in owning, conducting, maintaining, and/or
12 permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in
13 wrongful conduct and caused a serious threat to the general health, safety and welfare of the
14 law-abiding tenants at the Property and persons in the area surrounding the Property.

15 32. Unless Defendants and Does 1 through 50 are restrained and enjoined by order
16 of this Court, they will continue to use, occupy and maintain, and to aid, abet or permit, directly
17 or indirectly, the use, occupation, and maintenance of the Property, together with the fixtures
18 and appurtenances located therein, for the purpose complained of herein, to the great and
19 irreparable damage of Plaintiff and in violation of California law.

20 **VIII. THIRD CAUSE OF ACTION FOR UNFAIR COMPETITION**

21 **[Business and Professions Code Section 17200, et seq. --**

22 **Against Defendant and DOES 1 through 50]**

23 33. Plaintiff hereby incorporates by reference Paragraphs 1 through 32 of this
24 Complaint and makes them part of this Third Cause of Action, as if fully set forth herein.

25 34. Ownership and rental of residential housing, such as the Property is a business.
26 When the owner and/or manager of such a business violates the NAL and/or PNL such that a
27 nuisance exists and flourishes at the premises, as alleged herein, it is also a violation of the
28 UCL.

35. Defendants and Does 1 through 50 have violated the UCL by engaging in the following unlawful or unfair business acts and practices: conducting, maintaining and/or permitting, directly or indirectly, narcotics activity at the Property amounting to violations of the NAL as alleged herein; and/or conducting, maintaining and/or permitting, directly or indirectly, narcotics and other gang-related criminal and/or nuisance activity at the Property, as alleged herein, in violation of the PNL.

36. Plaintiff has no adequate remedy at law, and unless Defendants and Does 1 through 50 are restrained and enjoined by this Court they will continue to commit unlawful business practices or acts, thereby causing irreparable injury and harm to the public's welfare.

PRAYER

WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND DECREE AS FOLLOWS:

AS TO THE FIRST CAUSE OF ACTION

1. That Defendant, Does 1 through 50, and the Property, be declared in violation of Health and Safety Code section 11570, *et seq.*

2. That the Property, together with the fixtures and moveable property therein and thereon, be found to constitute a public nuisance and be permanently abated as such in accordance with Section 11581 of the California Health and Safety Code.

3. That the Court grant a preliminary injunction, permanent injunction and order of abatement in accordance with Section 11570, *et. seq.* of the California Health and Safety Code, enjoining and restraining the Defendant and his agents, officers, employees and anyone acting on their behalf, from unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances on the Property, and/or directly or indirectly maintaining or permitting such nuisance activity.

4. That the Court order physical and managerial improvements to the Property in accordance with Health and Safety Code section 11573.5, and such orders as are otherwise appropriate, to remedy the nuisance on the Property and enhance the abatement process, including but not limited to, the following: an internet-connected video monitoring system

1 accessible by LAPD; improved lighting; sufficiently secure gating and fencing; improved tenant
2 screening and lease enforcement procedures; armed, licensed security guards; and
3 prohibiting known gang members from accessing the Property; and the appointment of a
4 receiver to carry out the Court's order.

5 5. That Defendant and Does 1 through 50 be ordered to reside in the Property until
6 the nuisance is abated, pursuant to Health and Safety Code section 11573.5(f)(1)(H).

7 6. That as part of the Judgment, an Order of Abatement be issued, and the
8 Property be closed for a period of one year, not to be used for any purpose, and be under the
9 control and custody of this Court for said period of time; that relocation benefits be paid by the
10 owners to any tenant displaced due to said closure, pursuant to the Los Angeles Municipal
11 Code and any other applicable laws. In the alternative, if the Court deems such closure to be
12 unduly harmful to the community, that Defendant and Does 1 through 50, pay an amount of
13 damages equal to the fair market rental value of the Property for one year to the City or
14 County in whose jurisdiction the nuisance is located in accordance with Health and Safety
15 Code section 11581 subdivision (c)(1).

16 7. That Defendant and Does 1 through 50 each be assessed a civil penalty in an
17 amount not to exceed twenty-five thousand dollars (\$25,000.00) each.

18 8. That all fixtures and moveable property used in conducting, maintaining, aiding
19 or abetting the nuisance at the Property be removed by the LAPD and sold in the manner
20 provided for the sale of chattels under execution. Said fixtures and property shall be
21 inventoried and a list prepared and filed with this court.

22 9. That there shall be excepted from said sale, such property to which title is
23 established in some third party not a defendant, nor agent, officer, employee or servant of any
24 defendant in this proceeding.

25 10. That the proceeds from said sale be deposited with this court for payment of the
26 fees and costs of sale. Such costs may occur in closing said Property and keeping it closed,
27 removal of said Property, and Plaintiff's costs in the Action, including attorneys' fees, and such
28 other costs as the Court shall deem proper.

1 11. That if the proceeds of the sale do not fully discharge all such costs, fees and
2 allowances, the Property shall also be sold under execution issued upon the order of the court
3 or judge and the proceeds of such sale shall be applied in a like manner. That any excess
4 monies remaining after payment of approved costs shall be delivered to the owner of said
5 Property. Ownership shall be established to the satisfaction of this court.

6 12. That Defendant, Does 1 through 50, and any agents, trustees, officers,
7 employees and anyone acting on their behalf, and their heirs and assignees, be perpetually
8 enjoined from transferring, conveying, or encumbering any portion of the Property, for
9 consideration or otherwise, without first obtaining the Court's prior approval.

10 13. That Defendant and Does 1 through 50 be ordered to immediately notify any
11 transferees, purchasers, commercial lessees, or other successors in interest to the subject
12 Property of the existence and application of any temporary restraining order, preliminary
13 injunction, or permanent injunction to all prospective transferees, purchasers, commercial
14 lessees, or other successors in interest, *before* entering into any agreement to sell, lease or
15 transfer the Property, for consideration or otherwise, all or any portion of the Property that is
16 the subject of this Action.

17 14. That Defendant and Does 1 through 50 be ordered to immediately give a
18 complete, legible copy of any temporary restraining order and preliminary and permanent
19 injunctions to all prospective transferees, purchasers, lessees, or other successors in interest
20 to the Property.

21 15. That Defendant and Does 1 through 50 be ordered to immediately request and
22 procure signatures from all prospective transferees, purchasers, lessees, or other successors
23 in interest to the subject Property, which acknowledges his/her respective receipt of a
24 complete, legible copy of any temporary restraining order, preliminary and permanent
25 injunction, and deliver a copy of such acknowledgment to the Los Angeles City Attorney's
26 Office, c/o Deputy City Attorney Jeanne Kim or her designee.

1 16. That Plaintiff recover the costs of this action, including law enforcement
2 investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed
3 \$1,000,000.00, from Defendant and Does 1 through 50.

4 **AS TO THE SECOND CAUSE OF ACTION**

5 1. That Defendant and Does 1 through 50 be declared in violation of Civil Code
6 section 3479, *et seq.*

7 2. That the Property, together with the fixtures and moveable property therein and
8 thereon, be declared a public nuisance and be permanently abated as such in accordance
9 with Civil Code section 3491.

10 3. That Defendant, Does 1 through 50, and their agents, officers, employees and
11 anyone acting on their behalf, and their heirs and assignees, be preliminarily and perpetually
12 enjoined from operating, conducting, using, occupying, or in any way permitting the use of the
13 Property as a public nuisance. Such orders should include, but not be limited to physical and
14 managerial improvements to the Property, a 1,000 feet stay away order from the Property,
15 and such other orders as are appropriate to remedy the nuisance on the Property and
16 enhance the abatement process.

17 4. Such costs as may occur in abating said nuisance at the Property and such
18 other costs as the Court shall deem just and proper.

19 5. That Plaintiff be granted such other and further relief as the Court deems just
20 and proper, including closure and/or demolition of the Property.

21 **AS TO THE THIRD CAUSE OF ACTION**

22 1. That Defendant and Does 1 through 50 be declared in violation of Business and
23 Professions Code section 17200.

24 2. That Defendant, Does 1 through 50, as well as their agents, managers, heirs,
25 successors, and anyone acting on their behalf, be permanently enjoined from maintaining,
26 operating, or permitting any unlawful or unfair business acts or practices in violation of
27 Business and Professions Code section 17200.

28 3. That the Court grant a preliminary and/or permanent injunction prohibiting

1 Defendant, Does 1 through 50, as well as their agents, managers, heirs, successors, and
2 anyone acting on their behalf, from engaging in the unlawful or unfair acts and/or practices
3 described herein at the Property and in the City of Los Angeles. Such orders should include
4 physical and managerial improvements to the Property.

5 4. That, pursuant to Business and Professions Code section 17206, Defendant and
6 Does 1 through 50 be assessed a civil penalty of Two Thousand Five Hundred Dollars
7 (\$2,500) for each and every act of unfair competition.

8 5. That, pursuant to the Court's equitable power and Business and Professions
9 Code section 17203, the Court make such orders or judgments, including appointment of a
10 receiver, to eliminate the unfair competition alleged herein.

11 **AS TO ALL CAUSES OF ACTION**

12 1. That Plaintiff recover the amount of the filing fees and the amount of the fee for
13 the service of process or notices which would have been paid but for Government Code
14 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the
15 amount of the fees for certifying and preparing transcripts.

16 2. That Plaintiff be granted such other and further relief as the Court deems just
17 and proper.

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20 DATED: June 2, 2017

Respectfully submitted,

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